

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

RICHTEK TECHNOLOGY
CORPORATION,

Plaintiff,

v.

UPI SEMICONDUCTOR CORPORATION,
et al.,

Defendants.

No. C 09-05659 WHA (LB)

**ORDER STRIKING DOCKET
ENTRIES #286, #287, AND #288 AND
DIRECTING PARTIES TO FOLLOW
STANDING ORDER FOR
ADDRESSING DISCOVERY
DISPUTES**

The district court referred the current discovery dispute and all further discovery to this court on February 3, 2011. ECF No. 268 at 1.¹ On February 7, 2011, this court denied without prejudice the pending discovery request in Plaintiff's February 2, 2011 letter and directed the parties to follow this court's standing order regarding discovery disputes. ECF No. 274 at 1.

The standing order requires that if a meet and confer does not resolve the outstanding issues, "the parties shall file a *joint* letter instead of a formal motion." Judge Beeler's Standing Order, ECF No. 274-1 at 2 (emphasis added). Although the standing order requires the parties to file a *joint* letter, on March 14, 2011, Defendant Powerchip Technology Corp. filed a separate letter claiming that it was unable to enlist Plaintiff Richtek's cooperation in writing the joint letter following an in-person meet-and-confer. Powerchip Letter, ECF No. 286 at 1. In response, Richtek filed its own letter and

¹ Citations are to the Electronic Case File ("ECF") with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

1 a supporting declaration on March 15, 2011 claiming that the parties did not meet and confer
2 regarding the issues raised by Powerchip in its discovery letter before it filed the letter. Richtek
3 Letter, ECF No. 287 at 2; Hsin-Yi Cindy Huang Declaration, ECF No. 288. Because the parties
4 failed to comply with this court's standing order by filing *separate* discovery dispute letters, docket
5 entries 286, 287, and 288 and their attachments are **HEREBY STRICKEN** and will not be
6 considered by the court.

7 The parties shall comply with the procedures for addressing discovery disputes set forth in this
8 court's standing order (attached). Those procedures require, among other things, that if a meet-and-
9 confer by other means does not resolve the parties' dispute, lead counsel for the parties must meet
10 and confer **in person**. If that procedure does not resolve the disagreement, the parties must file a
11 *joint* letter instead of a formal motion. After reviewing the joint letter, the court will evaluate
12 whether further proceedings are necessary, including any further briefing or argument.

13 **IT IS SO ORDERED.**

14 Dated: March 18, 2011



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16 LAUREL BEELER
17 United States Magistrate Judge
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